



REGULAR MEETING AGENDA
Wednesday, November 16, 2022 at 7:00 p.m.

POWELL COMMUNITY CENTER
6200 MARTWAY

Meeting In Person and Virtually via Zoom

This meeting will be held in person at the time and date shown above. In consideration of the COVID-19 social distancing recommendations, this meeting will also be available virtually via Zoom (<https://zoom.us/join>). Information will be posted, prior to the meeting, on how to join at <https://www.missionks.org/calendar.aspx>.

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

1. **PUBLIC HEARINGS**
2. **SPECIAL PRESENTATIONS**
 - Citizen Appreciation Award – Terri Baugh
 - Shop Small Saturday Proclamation
3. **ISSUANCE OF NOTES AND BONDS**
4. **CONSENT AGENDA**

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

CONSENT AGENDA - GENERAL

- 4a. [Minutes of the October 26, 2022 City Council Meeting](#)

CONSENT AGENDA - Finance & Administration Committee

[Finance & Administration Committee Meeting Packet November 2, 2022](#)
Finance & Administration Committee Meeting Minutes November 2, 2022

- 4b. Crux Contract Renewal
- 4c. 2023 Employee Benefit Renewals
- 4d. 2023 Human Service Fund (HSF) Allocation

CONSENT AGENDA - Community Development Committee

[Community Development Committee Meeting Packet November 2, 2022](#)
Community Development Committee Meeting Minutes November 2, 2022

- 4e. PCC Skylights Rebid
- 4f. PCC Locker Room Flooring
- 4g. On-Call Engineering Contract Extensions
- 4h. PPS Agreement with SMAC for Rock Creek Channel

5. PUBLIC COMMENTS

6. ACTION ITEMS
Planning Commission

Miscellaneous
7. COMMITTEE REPORTS

Finance & Administration, Trent Boultinghouse

[Finance & Administration Committee Meeting Packet November 2, 2022](#)
Finance & Administration Committee Meeting Minutes November 2, 2022

- 7a. Resolution Approving a Master Capital Improvement Plan (CIP) for the City of Mission ([page 4](#))
- 7b. Resolution Offering for Sale General Obligation Bonds Series 2022A – Street/Park Improvements ([page 13](#))

Community Development, Ben Chocie

[Community Development Committee Meeting Packet November 2, 2022](#)
Community Development Committee Meeting Minutes November 2, 2022

- 7c. Johnson County Wastewater (JCW) Nelson Treatment Plant Improvements Interlocal Agreement ([page 25](#))
- 7d. CARS Agreement for the Foxridge Drive (51st Street to Lamar Avenue) 2023 CARS Project ([page 33](#))

8. **UNFINISHED BUSINESS**

9. **NEW BUSINESS**

10. **COMMENTS FROM THE CITY COUNCIL**

11. **COUNCIL COMMITTEE LIAISON REPORTS**

- Sustainability Commission (Kring/Thomas)
- Parks, Recreation + Tree Commission (Loudon/Ryherd)
- Mission Magazine Editorial Board (Boultinghouse)
- Family Adoption Committee (Chocie)

12. **MAYOR'S REPORT**
Appointments

13. **CITY ADMINISTRATOR'S REPORT**

13a. [October Interim Financial Reports \(page 43\)](#)

14. **EXECUTIVE SESSION**

ADJOURNMENT

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7a. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Administration | From: | Laura Smith |

Action items require a vote to recommend the item to the full City Council for further action.

RE: Resolution Approving a Master Capital Improvement Plan for the City of Mission including the financing thereof.

RECOMMENDATION: Adopt the Resolution approving the Capital Improvement Master Plan for the City of Mission and communicating the City’s expectations to finance certain costs for the outdoor park improvements in the maximum amount of \$3,100,000 plus capitalized interest, interest on any temporary financing, and costs of issuance.

DETAILS: The Kansas Constitution allows cities to exercise home rule powers – including approval of charter ordinances which exempt cities from non-uniform enactments of the State Legislature. K.S.A. 14-570 and K.S.A. 14-571 related to public improvements and the issuance of general obligation bonds for such purposes. These particular statutes are not uniform across all cities and, therefore, subject to revision by charter ordinance.

Many public improvements – such as streets, stormwater and public buildings – may be financed through the issuance of general obligation bonds without the need for a public vote. Other improvements such as streetlights or park improvements are either not directly covered by state statute or, in the absence of a charter ordinance and an approved capital master plan, would require a public vote to finance with general obligation bonds.

In June 2021, the City Council approved Charter Ordinance 32 exempting the City of Mission from the provisions of K.S.A. 14-570 and K.S.A. 14-571 and providing alternate provisions authorizing the City to issue General Obligation bonds for public improvements, without need for a public vote, when the bonds are in an amount sufficient to carry out a master plan for public improvements that has been approved by the Governing Body. The City is now ready to proceed to finance certain street and outdoor improvements, specifically in accordance with the following:

Streets

- Foxridge Drive Phase II (51st Street to Lamar): To include full depth pavement reconstruction, sidewalk and retaining walls, stormwater improvements, traffic

| | |
|---------------------------------|-------------------------------------------------------|
| Related Statute/City Ordinance: | K.S.A. 14-570 and K.S.A. 14-571; Charter Ordinance 32 |
| Line Item Code/Description: | NA |
| Available Budget: | \$3,665,000 (through 2022A Bond Proceeds) |

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7a. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Administration | From: | Laura Smith |

Action items require a vote to recommend the item to the full City Council for further action.

signal buyout and replacement, streetlights, and a polymer overlay on the Lamar Ave. bridge. The stormwater improvements include replacing aging corrugated metal pipe (CMP) and addressing ongoing groundwater problems and the installation of sidewalks which will improve pedestrian safety. The stormwater and retaining wall improvements will require permanent easements and temporary construction easements will be necessary to complete the work in the right-of-way.

- 2023 Residential Street Program: To include full depth reconstruction, including stormwater upgrades for the following streets – Beverly Avenue (57th St to 56th St), Riggs Avenue (53rd St north to dead end), 50th Terrace (51st St east to city limits), and 61st Terrace (Lamar Ave to Woodson Rd)

Parks

- Waterworks Park: To include the construction of a new shelter, restroom facilities, a new, inclusive play feature, an upgraded walking trail, parking and other amenities, including native landscaping and trees.
- Mohawk Park Phase II: To include the construction of a new inclusive play feature with a shade structure, an upgraded and expanded walking trail, installation of a multi-purpose court, and other amenities including native landscaping and trees.
- Streamway Park Phase I: To include a new, expanding parking lot, fencing and irrigation for a dog park, and related site work and amenities.

The Master Plan must be approved by the Governing Body prior to issuance of any debt. All other requirements imposed on cities related to issuance of debt still apply when considering items to be financed under this Charter Ordinance.

Charter Ordinance 32 was written broadly to provide the Council with more flexibility for potential debt financing for acquisition of park land or for outdoor park system improvements. However, broadening the scope of the Charter Ordinance did not reduce public accountability or transparency and does not give any Council blanket authority to issue general obligation bonds for any purpose or project.

The Council must now consider and approve an updated Master Capital Improvement

| | |
|---------------------------------|-------------------------------------------------------|
| Related Statute/City Ordinance: | K.S.A. 14-570 and K.S.A. 14-571; Charter Ordinance 32 |
| Line Item Code/Description: | NA |
| Available Budget: | \$3,665,000 (through 2022A Bond Proceeds) |

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7a. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Administration | From: | Laura Smith |

Action items require a vote to recommend the item to the full City Council for further action.

Plan which includes the street and park projects anticipated to be financed. Passage of this Resolution on November 16, 2022 would fulfill that requirement. Ultimately the Governing Body will also be required to pass a bond ordinance authorizing the issuance of bonds prior to any debt being issued.

The attached Resolution is the next step in the financing process and approves a Master Capital Improvement Plan for Mission which includes the improvements to the outdoor park network. The Exhibit to the Resolution which will detail the Master CIP will be uploaded to the packet prior to the meeting.

CFAA CONSIDERATIONS/IMPACTS: NA

| | |
|---------------------------------|-------------------------------------------------------|
| Related Statute/City Ordinance: | K.S.A. 14-570 and K.S.A. 14-571; Charter Ordinance 32 |
| Line Item Code/Description: | NA |
| Available Budget: | \$3,665,000 (through 2022A Bond Proceeds) |

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF THE
CITY OF MISSION, KANSAS
HELD ON NOVEMBER 16, 2022**

The City Council (the "Governing Body") met in regular session at the usual meeting place in the City, at ___:___ p.m., the following members being present and participating, to-wit:

_____.

Absent: _____.

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Councilmember _____ presented and moved the adoption of a Resolution entitled:

**A RESOLUTION OF THE CITY OF MISSION, KANSAS, APPROVING A
MASTER CAPITAL IMPROVEMENT PLAN FOR THE CITY AND THE
FINANCING THEREOF.**

Councilmember _____ seconded the motion to adopt the Resolution. The Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted by the Governing Body and the City Clerk designated the same Resolution No. _____, was signed and approved by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Governing Body of the City of Mission, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Robyn L. Fulks, City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MISSION, KANSAS, APPROVING A MASTER CAPITAL IMPROVEMENT PLAN FOR THE CITY AND THE FINANCING THEREOF.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas (the “Act”), provides that cities may exercise certain home rule powers, including passing charter ordinances which exempt such cities from non-uniform enactments of the Kansas Legislature; and

WHEREAS, the City of Mission, Kansas (the “City”) is a city, as defined in the Act, duly created and organized, under the laws of the State of Kansas; and

WHEREAS, K.S.A. 14-570 and K.S.A. 14-571 are part of an enactment of the Kansas Legislature (K.S.A. 14-570 *et seq.*) relating to public improvements and the issuance of bonds for such purposes, which enactment is applicable to the City, but is not uniformly applicable to all cities within the State of Kansas; and

WHEREAS, pursuant to Charter Ordinance No. 32 passed on June 23, 2021 (the “Charter Ordinance”) by at least a two-thirds vote of the City Council (the “Governing Body”), the City exempted itself from the provisions of K.S.A. 14-570 and 14-571 and provided for substitute and additional provisions thereof; and

WHEREAS, pursuant to the Charter Ordinance, a master capital improvements plan has been submitted to the Governing Body (the “Master Plan”), shown herein and in **Exhibit A** attached hereto (collectively, the “Project”); and

WHEREAS, the Governing Body has reviewed the Master Plan.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. Approval of the Master Plan. The Governing Body hereby approves the Master Plan, a copy of which is attached hereto as **Exhibit A**.

Section 2. Financing. The City expects to make capital expenditures on and after the date of adoption of this Resolution in connection with the Project and intends to reimburse itself for such expenditures with the proceeds of one or more series of general obligation bonds and temporary notes of the City that are hereby authorized to be issued in the following maximum amounts, plus capitalized interest, interest on any temporary financing, and costs of issuance:

| Project | Cost |
|------------------------------------------------------------|-------------|
| Foxridge Drive Phase II (51 st St. to Lamar) | \$4,000,000 |
| 2023 Residential Street Program | 1,000,000 |
| Waterworks Park | 1,500,000 |
| Mohawk Park Phase II | 1,500,000 |
| Streamway Park Phase I | 907,340 |

Section 3. Further Authority. The City shall, and the officials and agents of the City are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 4. Effective Date. This Resolution shall be in force and take effect immediately upon adoption by the Governing Body.

ADOPTED by the Governing Body on November 16, 2022 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

Solana Flora, Mayor

ATTEST:

Robyn L. Fulks, City Clerk

EXHIBIT A

City of Mission, Kansas - Capital Improvement Plan
2022 through 2024
Projects by Program Area

| | 2022 | 2023 | 2024 |
|----------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Stormwater Program | | | |
| <i>Capital Projects</i> | | | |
| | Rock Creek Channel Repair (120' W. of Reeds Rd.) 338,078 | | |
| | Rock Creek Channel Repair (280' E. of Outlook to Woodson) 200,000 | Rock Creek Channel Repair (280' E. of Outlook to Woodson) 400,000 | Rock Creek Channel Repair (280' E. of Outlook to Woodson) 5,000,000 |
| | | | 5424 Maple Concrete Channel Repair 100,000 |
| | | | - |
| | | | 100,000 |
| Sub-total Stormwater Capital Projects | 538,078 | 400,000 | 5,200,000 |
| <i>Maintenance Programs</i> | | | |
| | Repair and Maintenance Projects 100,000 | Repair and Maintenance Projects 150,000 | Repair and Maintenance Projects 150,000 |
| | | Stormwater Infrastructure Repairs/Replacement 250,000 | Stormwater Infrastructure Repairs/Replacement 250,000 |
| | | Stormwater Condition Inventory 142,876 | |
| | Miscellaneous Engineering 50,000 | Miscellaneous Engineering 50,000 | Miscellaneous Engineering 50,000 |
| Sub-total Stormwater Maintenance | 150,000 | 592,876 | 450,000 |
| <i>Debt Service/Loan Repayment</i> | | | |
| | KDHE Loan Repayment 6,562 | KDHE Loan Repayment 6,562 | KDHE Loan Repayment 6,562 |
| | GO Series 2013C - Stormwater Portion 282,600 | GO Series 2013C - Stormwater Portion 272,850 | |
| | GO Series 2014-A 1,054,738 | GO Series 2014-A 1,060,313 | GO Series 2014-A 1,061,563 |
| | GO Series 2019A (Rock Creek/RCHA) 218,550 | GO Series 2019A (Rock Creek/RCHA) 570,800 | GO Series 2019A (Rock Creek/RCHA) 570,300 |
| | GO Series 2020A (Refunding of 2010B) 1,240,525 | GO Series 2020A (Refunding of 2010B) 507,625 | GO Series 2020A (Refunding of 2010B) 503,925 |
| Sub-total Stormwater Debt Service | 2,802,975 | 2,418,150 | 2,142,350 |
| Total Stormwater Expenses | 3,491,053 | 3,411,026 | 7,792,350 |
| Street Program | | | |
| <i>Capital Projects</i> | | | |
| | UBAS Treatment - Jo Drive (Lamar to Roe) 1,343,769 | | Jo. Dr. (Metcalf to Lamar) 850,000 |
| | Foxridge Drive Phase II (51st to Lamar) 418,000 | Foxridge Drive Phase II (51st to Lamar) 5,572,900 | Full Depth - 63rd (Nall to Roe) 60,000 |
| | | Mill and Overlay - Roe (SMP to 63rd St) 72,000 | Mill and Overlay - Roe (SMP to 63rd St) 1,053,500 |
| Sub-total Capital Projects | 1,761,769 | 5,644,900 | 1,963,500 |
| <i>Maintenance Programs</i> | | | |
| | 2023 Residential Street Program 1,762,445 | 2024 Residential Street Program 2,191,358 | 2025 Residential Street Program 2,000,000 |
| | PW Maintenance Programs (striping, traffic safety) 75,000 | PW Maintenance Programs (striping, traffic safety) 75,000 | PW Maintenance Programs (striping, traffic safety) 75,000 |
| Bridge Maintenance/Administrative Costs | Bridge Maintenance/Administrative Costs 25,000 | Bridge Maintenance/Administrative Costs 25,000 | Bridge Maintenance/Administrative Costs 25,000 |
| | Curb and Sidewalk Program 50,000 | Curb and Sidewalk Program 150,000 | Curb and Sidewalk Program 150,000 |
| | 51st & Dearborn Sidewalk 48,000 | Pedestrian activated stop signs (61st/Broadmoor) 60,000 | |
| | PCI Update 25,000 | | |
| Sub-total Street Maintenance | 1,985,445 | 2,501,358 | 2,250,000 |
| <i>Debt Service</i> | | | |
| | Johnson Drive/Martway Debt Service (2012A) 474,300 | | |
| | Jo Drive - Street Portion (2013C) 267,363 | Jo Drive - Street Portion (2013C) 271,625 | |
| | | Foxridge Drive Phase II/2023 Residential Street Program (2022A) 113,000 | Foxridge Drive Phase II/2023 Residential Street Program (2022A) 450,000 |
| Sub-total Street Debt Service | 741,663 | 384,625 | 450,000 |
| Total Street Expenses | 4,488,877 | 8,530,883 | 4,663,500 |

City of Mission, Kansas - Capital Improvement Plan
2022 through 2024
Projects by Program Area

| | | 2022 | 2023 | 2024 |
|----------------------------------------|------------------------------------------------|-------------------|----------------------------------------|---------------------------------|
| Parks + Recreation Program | | | | |
| <i>Capital Projects</i> | | | | |
| | <i>Park Systems Improvements</i> | | | |
| | Andersen Court Resurfacing | 340,846 | Legacy Park Shade Structure | 8,000 |
| | Event Trailer | 6,552 | Legacy Park Water Fountain | 10,000 |
| | Mohawk Park Phase I | 1,482,655 | Wifi and Bathroom Locks | 7,000 |
| | Broadmoor Trail Design | 32,000 | Broadmoor Trail Construction | 190,000 |
| | | | Trail Counters | 20,000 |
| | | | Waterworks Park | 1,500,000 |
| | | | Mohawk Park Phase II | 1,500,000 |
| | | | Streamway Park Phase I | 907,340 |
| | | | | Beverly Pergola |
| | | | | Pearl Harbor Pergola |
| | | | | Solar Picnic Tables |
| | | | | Andersen Parking Lot |
| | | | | |
| | <i>MFAC Improvements/Equipment Replacement</i> | | | |
| | Automatic Aqua Vacuum | 6,799 | Maintenance Slide 2 | 25,000 |
| | Lane Line Replacement | 5,662 | Table Umbrellas | 5,000 |
| | UV Light Bulb Replacement | 7,762 | Shade Structure Replacement | 15,000 |
| | | | Pump and Filter Replacement | 30,000 |
| | | | | Picnic Table Replacement |
| | | | | ADA Chair Lift |
| | | | | Deck Lounge Chairs |
| | | | | 1M Diving Board Replacement |
| | | | | Sprayground Refresh |
| | <i>PCC Improvements/Equipment Replacement</i> | | | |
| | Conference Center Banquet Chairs | 24,012 | South Kitchen Flooring | 10,000 |
| | Natorium Skylights | 44,830 | Conference Center Carpet | 40,000 |
| | Natorium Painting/Sealing Slide Stairs | 94,849 | Trash/ Recycling Can Replacement | 15,000 |
| | Locker Room Flooring (Men's and Women's) | 20,328 | Steamroom Retiling | 15,000 |
| | Adult Lounge Furniture | 15,000 | Conference Center Projectors | 27,000 |
| | Indoor Pool Filter Replacement | 50,902 | Conference Center Tables | 10,000 |
| | | | North bathroom remodel | 35,000 |
| | | | Recedar Sauna | 9,000 |
| | | | EV Chargers | 15,000 |
| | | | Indoor Track Resurfacing | 140,000 |
| | | | Stain roof wood | 30,000 |
| | | | Stain north breezeway | 20,000 |
| | | | | Conference Center Painting |
| | | | | South Bathroom Remodel |
| | | | | North/South Kitchen Counters |
| | | | | Stain South Breezeway |
| | | | | Adult Lounge Counters |
| | | | | Roof Resurfacing |
| | | | | Pool Liner Resurfacing |
| | | | | Digital Lockers |
| | | | | Replace Tile in Lobby/Hallways |
| | | | | New Water Feature - Indoor Pool |
| | | | | |
| | Sub-total Parks Capital Projects | 2,132,197 | 4,583,340 | 967,000 |
| <i>Maintenance/Operations/Reserves</i> | | | | |
| | <i>Powell Community Center</i> | | | |
| | Chemical Room Maintenance/Repairs | 11,500 | Underground Electrical for Parking Lot | 17,000 |
| | | | Parking Lot Reseal | 57,000 |
| | <i>Mission Family Aquatic Center</i> | | | |
| | Water Pressure Relief Valve | 15,000 | Pool and Deck Crack Repairs | 30,000 |
| | Paint Competition Pool | 3,718 | Paint Leisure Pool | |
| | | | | Paint Competition Pool |
| | Sub-total Parks Maintenance Projects | 30,218 | 104,000 | 7,500 |
| Parks + Recreation Program | | | | |
| <i>Debt Service/Lease Payments</i> | | | | |
| | Outdoor Aquatic Facility Debt Service (2013B) | 530,450 | 530,450 | - |
| | Cardio Equipment Lease | 42,617 | 42,617 | 55,000 |
| | Outdoor Parks Improvements (2022A) | - | 97,000 | 385,000 |
| | Sub-total Parks Debt Service | 573,067 | 573,067 | 55,000 |
| | Total Parks & Recreation Expenses | 2,735,482 | 5,260,407 | 1,029,500 |
| | Total Capital Project Expenditures | 10,715,412 | 17,202,316 | 13,485,350 |

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7b. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Administration | From: | Laura Smith |

Action items require a vote to recommend the item to the full City Council for further action.

RE: Resolution authorizing the offering for sale of General Obligation Bonds, Series 2022A of the City of Mission, Kansas.

RECOMMENDATION: Approve the Resolution setting the sale for November 30, 2022 for General Obligation Bonds, Series 2022A which will fund improvements to Foxridge Phase II, the 2023 Residential Street Program, and outdoor park improvements to Waterworks Park, Mohawk Park Phase II, and Streamway Park Phase I.

DETAILS: This resolution signals the City’s intent to take the General Obligation Bonds, Series 2022A to the market on November 30, 2022. The anticipated debt service schedule for this issue was prepared by Ehlers, Inc. and is included in the packet. The Resolution has been prepared by the City’s Bond Counsel, Gilmore & Bell.

The proposed issue includes financing to make improvements to both the City’s street and park infrastructure assets as follows:

Streets

Foxridge Drive Phase II (51st Street to Lamar): To include full depth pavement reconstruction, sidewalk and retaining walls, stormwater improvements, traffic signal buyout and replacement, streetlights, and a polymer overlay on the Lamar Ave. bridge. The stormwater improvements include replacing aging corrugated metal pipe (CMP) and addressing ongoing groundwater problems and the installation of sidewalks which will improve pedestrian safety. The stormwater and retaining wall improvements will require permanent easements and temporary construction easements will be necessary to complete the work in the right-of-way.

2023 Residential Street Program: To include full depth reconstruction, including stormwater upgrades for the following streets – Beverly Avenue (57th St to 56th St), Riggs Avenue (53rd St north to dead end), 50th Terrace (51st St east to city limits), and 61st Terrace (Lamar Ave. to Woodson Rd).

Parks

| | |
|---------------------------------|--------------------------------------------------------------|
| Related Statute/City Ordinance: | K.S.A. 12-1736 <i>et seq.</i> , Mission Charter Ordinance 32 |
| Line Item Code/Description: | NA |
| Available Budget: | NA |

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7b. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Administration | From: | Laura Smith |

Action items require a vote to recommend the item to the full City Council for further action.

Waterworks Park: To include the construction of a new shelter, restroom facilities, a new, inclusive play feature, an upgraded walking trail, parking and other amenities, including native landscaping and trees.

Mohawk Park Phase II: To include the construction of a new inclusive play feature with a shade structure, an upgraded and expanded walking trail, installation of a multi-purpose court, and other amenities including native landscaping and trees.

Streamway Park Phase I: To include a new, expanding parking lot, fencing and irrigation for a dog park, and related site work and amenities.

Debt service on these bonds is anticipated to be paid from dedicated revenues from property tax, street sales tax and parks and recreation sales tax. The City will request a new rating on these bonds from Standard & Poor's, and in order to obtain the lowest interest cost, the City will solicit competitive bids.

The set sale Resolution does not commit the City to the financing, and is used to authorize staff, our Financial Advisor and our Bond Counsel to proceed with preparing the offering documents.

CFAA CONSIDERATIONS/IMPACTS: Ensuring a robust and timely investment in the maintenance and enhancement of public infrastructure such as streets and parks helps to maintain the overall quality of life for residents and visitors of all ages to our community.

| | |
|---------------------------------|--------------------------------------------------------------|
| Related Statute/City Ordinance: | K.S.A. 12-1736 <i>et seq.</i> , Mission Charter Ordinance 32 |
| Line Item Code/Description: | NA |
| Available Budget: | NA |

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF MISSION, KANSAS
HELD ON NOVEMBER 16, 2022**

The governing body met in regular session at the usual meeting place in the City, at __:__ p.m., the following members being present and participating, to-wit:

_____.

Absent: _____.

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

The matter of providing for the offering for sale of General Obligation Bonds, Series 2022A, came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of a Resolution entitled:

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL
OBLIGATION BONDS, SERIES 2022A, OF THE CITY OF MISSION, KANSAS.**

Councilmember _____ seconded the motion to adopt the Resolution. The Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. _____

(Other Proceedings)

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* * * * *

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Mission, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Robyn L. Fulks, City Clerk

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2022A, OF THE CITY OF MISSION, KANSAS.

WHEREAS, the City of Mission, Kansas (the “Issuer”), has previously authorized certain internal improvements described as follows (collectively, the “Improvements”):

| <u>Project Description</u> | <u>Authority</u> | <u>Amount</u> |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|----------------------|
| Foxridge Drive Phase II (51 st St. to Lamar) 2023 Residential Street Program | Art. 12, Sec. 5 of the Kansas Constitution; Charter Ordinance No. 32 | \$4,000,000 |
| Waterworks Park | Art. 12, Sec. 5 of the Kansas Constitution; Charter Ordinance No. 32 | 1,000,000 |
| Mohawk Park Phase II | Art. 12, Sec. 5 of the Kansas Constitution; Charter Ordinance No. 32 | 1,500,000 |
| Streamway Park Phase I | Art. 12, Sec. 5 of the Kansas Constitution; Charter Ordinance No. 32 | 907,340 |

WHEREAS, the Issuer is authorized by law to issue general obligation bonds to pay a portion of the costs of the Improvements; and

WHEREAS, the City Council of the Issuer (the “Governing Body”) has selected the firm of Ehlers, Inc., Roseville, Minnesota (“Municipal Advisor”), as municipal advisor for one or more series of general obligation bonds of the Issuer to be issued in order to provide funds to permanently finance the Improvements; and

WHEREAS, the Issuer desires to authorize the Municipal Advisor to proceed with the offering for sale of said general obligation bonds and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation bonds; and

WHEREAS, the Issuer desires to authorize the Municipal Advisor and Gilmore & Bell, P.C., Kansas City, Missouri, the Issuer’s bond counsel (“Bond Counsel”), in conjunction with the Clerk, to proceed with the preparation and distribution of a preliminary official statement and notice of bond sale and to authorize the distribution thereof and all other preliminary action necessary to sell said general obligation bonds.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. There is hereby authorized to be offered for sale the Issuer’s General Obligation Bonds, Series 2022A (the “Bonds”) described in the Notice of Bond Sale, which is to be prepared by Bond Counsel in conjunction with the Municipal Advisor and Issuer staff (the “Notice of Bond Sale”). All proposals for the purchase of the Bonds shall be delivered to the Governing Body at its meeting to be held on the sale date referenced in the Notice of Bond Sale, at which meeting the Governing Body shall review such bids and award the sale of the Bonds or reject all proposals.

Section 2. The Mayor and Clerk, in conjunction with the Municipal Advisor and Bond Counsel, are hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Bonds (the “Preliminary Official Statement”), and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the sale of the Bonds.

Section 3. The Clerk, in conjunction with the Municipal Advisor and Bond Counsel, is hereby authorized and directed to give notice of said bond sale by publishing a summary of the Notice of Bond Sale not less than 6 days before the date of the bond sale in a newspaper of general circulation in Johnson County, Kansas, and the *Kansas Register* and by distributing copies of the Notice of Bond Sale and Preliminary Official Statement to prospective purchasers of the Bonds. Proposals for the purchase of the Bonds shall be submitted upon the terms and conditions set forth in the Notice of Bond Sale and awarded or rejected in the manner set forth in the Notice of Bond Sale.

Section 4. For the purpose of enabling the purchaser of the Bonds (the “Purchaser”) to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”), the Mayor and Clerk or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of the Preliminary Official Statement and to execute the “Certificate Deeming Preliminary Official Statement Final” in substantially the form attached hereto as *Exhibit A* as approval of the Preliminary Official Statement, such official’s signature thereon being conclusive evidence of such official’s and the Issuer’s approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

Section 5. The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 6. The Mayor, Clerk and the other officers and representatives of the Issuer, the Municipal Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Bonds.

Section 7. The transactions described in this Resolution may be conducted, and documents related to the Bonds may be sent, received, executed, and stored, by electronic means or transmissions. Copies, telecopies, electronic files and other reproductions of original executed documents (or documents executed by electronic means or transmissions) shall be deemed to be authentic and valid counterparts of such documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 8. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

[Balance of page intentionally left blank]

ADOPTED by the Governing Body on November 16, 2022.

(SEAL)

Solana Flora, Mayor

ATTEST:

Robyn L. Fulks, City Clerk

EXHIBIT A

**CERTIFICATE DEEMING
PRELIMINARY OFFICIAL STATEMENT FINAL**

_____, 2022

To: _____

Re: City of Mission, Kansas, General Obligation Bonds, Series 2022A

The undersigned are the duly acting Mayor and Clerk of the City of Mission, Kansas (the "Issuer"), and are authorized to deliver this Certificate to the purchaser (the "Purchaser") of the above-referenced bonds (the "Bonds") on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the "Preliminary Official Statement") relating to the Bonds.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "Rule"), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Bonds depending on such matters.

CITY OF MISSION, KANSAS

By: _____
Solana Flora, Mayor

By: _____
Robyn L. Fulks, City Clerk

City of Mission, Kansas

\$6,655,000 General Obligation Bonds, Series 2022A

Issue Summary

Assumes Current Market BQ AA+ Rates plus 75bps

Total Issue Sources And Uses

Dated 12/21/2022 | Delivered 12/21/2022

| | Streets | Parks | Issue Summary |
|---------------------------------------|-----------------------|-----------------------|-----------------------|
| Sources Of Funds | | | |
| Par Amount of Bonds | \$3,585,000.00 | \$3,070,000.00 | \$6,655,000.00 |
| Total Sources | \$3,585,000.00 | \$3,070,000.00 | \$6,655,000.00 |
| Uses Of Funds | | | |
| Total Underwriter's Discount (1.200%) | 43,020.00 | 36,840.00 | 79,860.00 |
| Costs of Issuance | 38,785.87 | 33,214.13 | 72,000.00 |
| Deposit to Project Construction Fund | 3,500,000.00 | 3,000,000.00 | 6,500,000.00 |
| Rounding | 3,194.13 | (54.13) | 3,140.00 |
| Total Uses | \$3,585,000.00 | \$3,070,000.00 | \$6,655,000.00 |

City of Mission, Kansas

\$6,655,000 General Obligation Bonds, Series 2022A

Issue Summary

Assumes Current Market BQ AA+ Rates plus 75bps

Debt Service Schedule

| Date | Principal | Coupon | Interest | Total P+I | Fiscal Total |
|--------------|-----------------------|----------|-----------------------|-----------------------|--------------|
| 12/21/2022 | - | - | - | - | - |
| 10/01/2023 | - | - | 209,307.78 | 209,307.78 | - |
| 04/01/2024 | 490,000.00 | 3.800% | 134,555.00 | 624,555.00 | 833,862.78 |
| 10/01/2024 | - | - | 125,245.00 | 125,245.00 | - |
| 04/01/2025 | 585,000.00 | 3.850% | 125,245.00 | 710,245.00 | 835,490.00 |
| 10/01/2025 | - | - | 113,983.75 | 113,983.75 | - |
| 04/01/2026 | 605,000.00 | 3.900% | 113,983.75 | 718,983.75 | 832,967.50 |
| 10/01/2026 | - | - | 102,186.25 | 102,186.25 | - |
| 04/01/2027 | 630,000.00 | 3.950% | 102,186.25 | 732,186.25 | 834,372.50 |
| 10/01/2027 | - | - | 89,743.75 | 89,743.75 | - |
| 04/01/2028 | 655,000.00 | 4.000% | 89,743.75 | 744,743.75 | 834,487.50 |
| 10/01/2028 | - | - | 76,643.75 | 76,643.75 | - |
| 04/01/2029 | 680,000.00 | 4.050% | 76,643.75 | 756,643.75 | 833,287.50 |
| 10/01/2029 | - | - | 62,873.75 | 62,873.75 | - |
| 04/01/2030 | 705,000.00 | 4.100% | 62,873.75 | 767,873.75 | 830,747.50 |
| 10/01/2030 | - | - | 48,421.25 | 48,421.25 | - |
| 04/01/2031 | 735,000.00 | 4.150% | 48,421.25 | 783,421.25 | 831,842.50 |
| 10/01/2031 | - | - | 33,170.00 | 33,170.00 | - |
| 04/01/2032 | 770,000.00 | 4.200% | 33,170.00 | 803,170.00 | 836,340.00 |
| 10/01/2032 | - | - | 17,000.00 | 17,000.00 | - |
| 04/01/2033 | 800,000.00 | 4.250% | 17,000.00 | 817,000.00 | 834,000.00 |
| Total | \$6,655,000.00 | - | \$1,682,397.78 | \$8,337,397.78 | - |

Yield Statistics

| | |
|-----------------------------------|-------------|
| Bond Year Dollars | \$40,943.61 |
| Average Life | 6.152 Years |
| Average Coupon | 4.1090606% |
| Net Interest Cost (NIC) | 4.3041093% |
| True Interest Cost (TIC) | 4.3294975% |
| Bond Yield for Arbitrage Purposes | 4.1000702% |
| All Inclusive Cost (AIC) | 4.5396759% |

IRS Form 8038

| | |
|---------------------------|-------------|
| Net Interest Cost | 4.1090606% |
| Weighted Average Maturity | 6.152 Years |

City of Mission, Kansas

\$3,585,000 General Obligation Bonds, Series 2022A

Streets

Assumes Current Market BQ AA+ Rates plus 75bps

Debt Service Schedule

| Date | Principal | Coupon | Interest | Total P+I | Fiscal Total |
|--------------|-----------------------|----------|---------------------|-----------------------|--------------|
| 12/21/2022 | - | - | - | - | - |
| 10/01/2023 | - | - | 112,748.61 | 112,748.61 | - |
| 04/01/2024 | 265,000.00 | 3.800% | 72,481.25 | 337,481.25 | 450,229.86 |
| 10/01/2024 | - | - | 67,446.25 | 67,446.25 | - |
| 04/01/2025 | 315,000.00 | 3.850% | 67,446.25 | 382,446.25 | 449,892.50 |
| 10/01/2025 | - | - | 61,382.50 | 61,382.50 | - |
| 04/01/2026 | 325,000.00 | 3.900% | 61,382.50 | 386,382.50 | 447,765.00 |
| 10/01/2026 | - | - | 55,045.00 | 55,045.00 | - |
| 04/01/2027 | 340,000.00 | 3.950% | 55,045.00 | 395,045.00 | 450,090.00 |
| 10/01/2027 | - | - | 48,330.00 | 48,330.00 | - |
| 04/01/2028 | 355,000.00 | 4.000% | 48,330.00 | 403,330.00 | 451,660.00 |
| 10/01/2028 | - | - | 41,230.00 | 41,230.00 | - |
| 04/01/2029 | 365,000.00 | 4.050% | 41,230.00 | 406,230.00 | 447,460.00 |
| 10/01/2029 | - | - | 33,838.75 | 33,838.75 | - |
| 04/01/2030 | 380,000.00 | 4.100% | 33,838.75 | 413,838.75 | 447,677.50 |
| 10/01/2030 | - | - | 26,048.75 | 26,048.75 | - |
| 04/01/2031 | 395,000.00 | 4.150% | 26,048.75 | 421,048.75 | 447,097.50 |
| 10/01/2031 | - | - | 17,852.50 | 17,852.50 | - |
| 04/01/2032 | 415,000.00 | 4.200% | 17,852.50 | 432,852.50 | 450,705.00 |
| 10/01/2032 | - | - | 9,137.50 | 9,137.50 | - |
| 04/01/2033 | 430,000.00 | 4.250% | 9,137.50 | 439,137.50 | 448,275.00 |
| Total | \$3,585,000.00 | - | \$905,852.36 | \$4,490,852.36 | - |

Yield Statistics

| | |
|-----------------------------------|-------------|
| Bond Year Dollars | \$22,045.83 |
| Average Life | 6.149 Years |
| Average Coupon | 4.1089504% |
| Net Interest Cost (NIC) | 4.3040893% |
| True Interest Cost (TIC) | 4.3294800% |
| Bond Yield for Arbitrage Purposes | 4.1000702% |
| All Inclusive Cost (AIC) | 4.5397462% |

IRS Form 8038

| | |
|---------------------------|-------------|
| Net Interest Cost | 4.1089504% |
| Weighted Average Maturity | 6.149 Years |

City of Mission, Kansas

\$3,070,000 General Obligation Bonds, Series 2022A

Parks

Assumes Current Market BQ AA+ Rates plus 75bps

Debt Service Schedule

| Date | Principal | Coupon | Interest | Total P+l | Fiscal Total |
|--------------|-----------------------|----------|---------------------|-----------------------|--------------|
| 12/21/2022 | - | - | - | - | - |
| 10/01/2023 | - | - | 96,559.17 | 96,559.17 | - |
| 04/01/2024 | 225,000.00 | 3.800% | 62,073.75 | 287,073.75 | 383,632.92 |
| 10/01/2024 | - | - | 57,798.75 | 57,798.75 | - |
| 04/01/2025 | 270,000.00 | 3.850% | 57,798.75 | 327,798.75 | 385,597.50 |
| 10/01/2025 | - | - | 52,601.25 | 52,601.25 | - |
| 04/01/2026 | 280,000.00 | 3.900% | 52,601.25 | 332,601.25 | 385,202.50 |
| 10/01/2026 | - | - | 47,141.25 | 47,141.25 | - |
| 04/01/2027 | 290,000.00 | 3.950% | 47,141.25 | 337,141.25 | 384,282.50 |
| 10/01/2027 | - | - | 41,413.75 | 41,413.75 | - |
| 04/01/2028 | 300,000.00 | 4.000% | 41,413.75 | 341,413.75 | 382,827.50 |
| 10/01/2028 | - | - | 35,413.75 | 35,413.75 | - |
| 04/01/2029 | 315,000.00 | 4.050% | 35,413.75 | 350,413.75 | 385,827.50 |
| 10/01/2029 | - | - | 29,035.00 | 29,035.00 | - |
| 04/01/2030 | 325,000.00 | 4.100% | 29,035.00 | 354,035.00 | 383,070.00 |
| 10/01/2030 | - | - | 22,372.50 | 22,372.50 | - |
| 04/01/2031 | 340,000.00 | 4.150% | 22,372.50 | 362,372.50 | 384,745.00 |
| 10/01/2031 | - | - | 15,317.50 | 15,317.50 | - |
| 04/01/2032 | 355,000.00 | 4.200% | 15,317.50 | 370,317.50 | 385,635.00 |
| 10/01/2032 | - | - | 7,862.50 | 7,862.50 | - |
| 04/01/2033 | 370,000.00 | 4.250% | 7,862.50 | 377,862.50 | 385,725.00 |
| Total | \$3,070,000.00 | - | \$776,545.42 | \$3,846,545.42 | - |

Yield Statistics

| | |
|-----------------------------------|-------------|
| Bond Year Dollars | \$18,897.78 |
| Average Life | 6.156 Years |
| Average Coupon | 4.1091891% |
| Net Interest Cost (NIC) | 4.3041326% |
| True Interest Cost (TIC) | 4.3295180% |
| Bond Yield for Arbitrage Purposes | 4.1000702% |
| All Inclusive Cost (AIC) | 4.5395939% |

IRS Form 8038

| | |
|---------------------------|-------------|
| Net Interest Cost | 4.1091891% |
| Weighted Average Maturity | 6.156 Years |

| | | |
|------------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7c. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Community Development | From: | Brian Scott |

Action items require a vote to recommend the item to the full City Council for further action.

RE: Interlocal Agreement Between the City of Mission and Johnson County for the Purpose of Streamlining and Documenting Decision Making

RECOMMENDATION: Approve the Interlocal Agreement between the City and Johnson County Wastewater (JCW) governing decision making relative to upgrades to JCW facilities located in the City of Mission.

DETAILS: The Nelson Wastewater Treatment Facility is located in the very northeast corner of Mission at 4800 Nall Avenue. The facility was first constructed in the 1940's and has been in use ever since, expanding in operational scale as the area has grown. The facility treats wastewater generated within the Turkey Creek and Mission Main basins which includes all or portions of Lenexa, Shawnee, Merriam, Overland Park, Mission, Roeland Park, Fairway, and Prairie Village. The plant is nearing the end of its operational life and is no longer compliant with wastewater treatment standards.

Johnson County Wastewater (JCW), which provides wastewater treatment services for most of Johnson County, undertook several studies to determine the best options for either updating or replacing this facility and other facilities within its collection system that are facing similar issues. It was determined that the best option was to replace both the Tomahawk treatment facility located in Leawood and the Nelson treatment facility in Mission, as well as make improvements to several other smaller facilities throughout the collection system.

Reconstruction of the Tomahawk Wastewater Treatment Facility at Mission Road and I-435 was completed last year. Improvements to a pumpstation at Nall Avenue and 75th Street were completed this summer along with improvements at the Rock Creek pumpstation (behind the former Mission Bowl building). Design work for improvements at the other Rock Creek pumpstation (at Roe and Shawnee Mission Parkway), Turkey Creek pumpstation (on Foxridge), and the Nelson treatment facility have been underway for the past couple of years. JCW is now ready to implement improvements to the Turkey Creek pumpstation and the Nelson treatment facility.

Turkey Creek Pumpstation

The most significant improvement to the Turkey Creek pumpstation will be the

| | |
|---------------------------------|--------------------------------------------------|
| Related Statute/City Ordinance: | Chapter 400 of Mission Municipal Code (Land Use) |
| Line Item Code/Description: | NA |
| Available Budget: | NA |

| | | |
|------------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7c. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Community Development | From: | Brian Scott |

Action items require a vote to recommend the item to the full City Council for further action.

construction of a new force main from the pumpstation to the Nelson Treatment plant. As the name implies, a force main is a large pipe buried deep in the ground that allows for wastewater to be pumped from the Turkey Creek location uphill to the Nelson facility for treatment. This main will essentially follow the Foxridge right-of-way, which means portions of the roadway will have to be removed to allow for construction of the main. JCW has been working with City staff for the past year to design and coordinate this work. It is expected that the work will begin by the end of this year and be completed by mid-year 2023. This work is being done now so that the City can be in a position to begin the Foxridge Phase II project in the spring of 2023.

Nelson Wastewater Treatment Facility

Improvements to the Nelson Wastewater Treatment facility are expected to begin in early 2023 and be completed by 2029. Improvements will entail constructing new components of the treatment process (basins, clarifiers, buildings, piping, etc.) in the very northeast corner of the facility complex, and then decommissioning and removing the old components once the new components are up and running. This will allow the facility to remain operational during the reconstruction process.

A new administrative office will be built in the southeast portion of the facility complex closer to Nall Avenue. Construction of other offices and operational facilities within the complex will also occur.

JCW has submitted a preliminary development plan, preliminary plat, and an application for a special use permit to the City for review. These items will be presented to the Planning Commission for their consideration at the November 28th Planning Commission meeting.

The overall operation of the plant and the treatment components are beyond the scope of the City's ability to regulate. Rather, the preliminary development plan will focus on the general location of the treatment components on the site, location of administrative office and other operational buildings on the site, overall access to the site, stormwater management, design and materials of the buildings, and screening of the overall complex. Staff has been working with JCW and their design professionals throughout the summer on these items and believes that the preliminary development plan is in a

| | |
|---------------------------------|--------------------------------------------------|
| Related Statute/City Ordinance: | Chapter 400 of Mission Municipal Code (Land Use) |
| Line Item Code/Description: | NA |
| Available Budget: | NA |

| | | |
|------------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7c. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Community Development | From: | Brian Scott |

Action items require a vote to recommend the item to the full City Council for further action.

good position to be approved by the Planning Commission and the City Council.

The preliminary plat will clean-up boundaries, dedicate easements, and remove references to prior plats that were adopted for the property.

Both the Turkey Creek force main and the Nelson treatment facility reconstruction will be large scale construction projects within our community that will require a great deal of coordination between the City and the County to ensure that the work is completed in a timely manner with the least amount of disruption. The Interlocal Agreement will help to facilitate that by providing a frame for mutual cooperation on these projects.

Patrick Denning with JCW will provide a presentation to the Community Development Committee describing in more detail the improvements to Turkey Creek pumpstation and Nelson treatment facility and the timeline and process for completing these projects. He will be available to answer any questions from members of the committee.

CFAA CONSIDERATIONS/IMPACTS: N/A

Attachments:

- Interlocal Agreement

| | |
|---------------------------------|--------------------------------------------------|
| Related Statute/City Ordinance: | Chapter 400 of Mission Municipal Code (Land Use) |
| Line Item Code/Description: | NA |
| Available Budget: | NA |

NELSON WWTF IMPROVEMENTS INTERGOVERNMENTAL AGREEMENT

This Agreement is made and entered into as of the ____ day of _____, 2022, by and between the City of Mission, Kansas, a municipal body organized and existing under the laws of the State of Kansas, (“Mission”) and the Board of County Commissioners of Johnson County, Kansas, as the governing body of the Consolidated Main Sewer District, a quasi-municipal corporation of the State of Kansas (“Johnson County”).

RECITALS

- A. Mission and Johnson County are both political subdivisions of the State of Kansas and are authorized to enter into agreements with one another pursuant to K.S.A. 12-2908 *et seq.*, for the promotion of intergovernmental cooperation.
- B. Johnson County has determined an immediate need for additions and rehabilitation to its wastewater facilities in Mission, Kansas, to meet the sewer service needs of its current and future customers. Johnson County and the Kansas Department of Health and Environment have entered into Consent Order 19-E-5 BOW, to allow Johnson County the time necessary to construct the required improvements to meet future water quality requirements. The project includes the Nelson Wastewater Treatment Facility (WWTF) generally located at 4800 Nall, the Turkey Creek Pump Station, located at 6700 Foxridge Drive, the Rock Creek Pump Station, located at 5701 Roe Avenue, and the conveyance facilities required to convey flow from the pump stations to the WWTF (collectively, these are referred to as the “Nelson WWTF Improvements”).
- C. While the project is primarily located in Mission, the project is of benefit to residents inside and outside of the City of Mission and will be funded by the ratepayers of the Johnson County Wastewater Consolidated Main Sewer District, upon project approval by the Board of County Commissioners of Johnson County.
- D. Mission and Johnson County have engaged in numerous discussions related to the Nelson WWTF Improvements and have identified opportunities for municipal cooperation with respect to the Nelson WWTF Improvements.
- E. Mission and Johnson County desire to enter into this agreement to memorialize their municipal cooperation related to the planned Nelson WWTF Improvements and related matters.
- F. Johnson County desires to cooperate and consult with Mission concerning the planning, design and construction of the Nelson WWTF Improvements.
- G. Mission desires to support improvement of Johnson County’s wastewater system for

the benefit of its citizens by cooperating with Johnson County.

- H. Mission and Johnson County have consulted on the Nelson WWTF Improvements and have reached an agreement that will allow Mission to play a role in the wastewater improvement project while Johnson County has agreed to provide submittals to the Mission City Planners for their review and comment.
- I. Johnson County recognizes the interests of Mission in this matter; however, the County asserts its immunity from the Mission's codes and regulations because the project serves an important governmental interest and does not adversely impact Mission's interests. *Herman v. Board of County Commissioners*, 246 Kan. 152, 785 P. 2d 1003 (1990). Therefore, the County will not formally make application for approval for the Nelson WWTF Improvements.
- J. Both Mission and Johnson County assert they are performing essential functions of local government in exercising their respective duties and authorities. Each party reserves its legal rights, and none are waived or extinguished by this Agreement

NOW, THEREFORE, in consideration of the premises, provisions, conditions and covenants of this Agreement, the parties agree as follows:

AGREEMENT

Section 1: Purpose

The parties hereto enter into this Agreement primarily for the purpose of establishing a method for Mission and Johnson County to cooperate in connection with the construction and maintenance of the Nelson WWTF Improvements.

Section 2: Cooperative Support of Mutual Responsibilities

Both Mission and Johnson County have the authority and responsibility to ensure and protect the public health, safety and welfare of its residents and the public at large, and both desire the Nelson WWTF Improvements to benefit not only Mission, but the entire Johnson County community without unreasonably affecting surrounding properties, traffic patterns, or public infrastructure within Mission. In order to give courteous and respectful consideration to the concerns of each, the parties agree it would be mutually advantageous to establish a framework to allow Mission to provide comments and have input on the Nelson WWTF Improvements regardless of whether the County is immune from Mission's oversight, regulation, and review.

Section 3: Cooperative Review and Consultation on Nelson WWTF Improvements

Johnson County will consult with Mission about its plans for the Nelson WWTF Improvements, including the Rock Creek Pump Station, Turkey Creek Pump Station, and the conveyance facilities required to convey flow from the pump stations to the WWTF, to be constructed in the city. Such consultation may take one of the following forms:

- A. Johnson County will cooperate in Mission's review processes for the construction and maintenance of the Nelson WWTF Improvements so Mission may make

recommendations regarding the same. Such review processes may include the submittal of applications and plans for zoning approvals, building permits, right-of-way permits, and other processes Mission has in place to regulate construction activity in the city. Mission's review process will not be unreasonably delayed, and the granting of approvals will not be unreasonably withheld or overly burdensome. However, Mission acknowledges Johnson County asserts the construction of the Nelson WWTF Improvements are not contingent upon the approval of Mission.

- B. Johnson County will cooperate with Mission to resolve issues that may arise during the construction process that have a negative impact on surrounding properties, traffic patterns, or public infrastructure.
- C. Johnson County will cooperate with Mission in providing general information about the Nelson WWTF Improvements to include updates on a project website, presentations at Mission Governing Body Meetings, public meetings and open houses, and responding to public comment or questions and issues raised by Mission's Governing Body or Staff.

Section 4: Documentation of Agreed Upon Processes and Decisions

Both parties acknowledge the Nelson WWTF Improvements is a significant undertaking that requires a strong public partnership between Johnson County, Mission, and other public entities. The parties also acknowledge: 1) the Nelson WWTF Improvements is a complicated project that will require unique approaches to problem solving outside of what may be considered standard practices or policies; 2) time is of the essence in completing the Nelson WWTF Improvements; 3) cost constraints are a consideration; and 4) decisions will need to be made and processes established that require documentation for the benefit of each party.

Therefore, all Mission stipulations, recommendations, or suggestions agreeable to Johnson County, acting through its County Manager, and approved by the Governing Body of the City of Mission acting through its City Administrator, will be incorporated through one or more addendums to this Agreement.

The parties further agree Johnson County may make minor changes to its plans and may make such changes without Mission's approval or delay to its construction timetable via addendum. Notice of any minor changes will be provided to Mission. If Mission determines the change is not minor, it may opt to present the change to the Mission Governing Body for input. Such agreement that results from the input will be recorded as an addendum to this Agreement.

Section 5: Compliance with Local Regulations

Although Johnson County asserts it is not subject to Mission's zoning and subdivision regulations, including its building and related codes, Johnson County agrees it will not intentionally violate, and will make a good faith effort to comply with the spirit and intent of, the generally applicable codes and regulations of the City so long as doing so does not materially interfere with the safety, security, construction, operation, maintenance and repair of the Nelson WWTF Improvements.

Section 6: Notification

All communications from Mission to Johnson County regarding this Agreement shall be directed specifically to:

Chief Engineer
Johnson County Wastewater
11811 S. Sunset
Drive Suite
2500
Olathe, Kansas 66061

All communications from Johnson County to Mission regarding this Agreement shall be directed specifically to:

Laura Smith, City Administrator
City of Mission
6090 Woodson
Mission, Kansas 66202

Section 7: Duration of Agreement

This Agreement shall remain in full force and effect for a period of time equivalent to the time required to construct and maintain the Nelson WWTF Improvements.

IN WITNESS WHEREOF, Mission and Johnson County hereto have caused this Agreement to be executed on behalf of their respective governing bodies the day and year first above written.

CITY OF MISSION, KANSAS

By: _____
Solana Flora, Mayor

Attest:

Robyn L. Fulks, City Clerk

Approved as to form:

David Martin, City Attorney
Payne & Jones, Chartered
11000 King Street
Overland Park, KS 66210

**BOARD OF COUNTY COMMISSIONERS OF
JOHNSON COUNTY, KANSAS**

By: _____
Ed Eilert, Chairman

Attest:

Lynda Sader, Deputy County Clerk

Approved as to form:

Ryan Haga, Assistant County Counselor

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7d. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Public Works | From: | Celia Duran |

Action items require a vote to recommend the item to the full City Council for further action.

RE: Johnson County CARS 2023 Interlocal Agreement for Funding of Public Improvements for Foxridge Drive (51st Street to Lamar Avenue)

RECOMMENDATION: Approve the Interlocal Agreement with Johnson County for the public improvement of Foxridge Drive (51st Street to Lamar Avenue) (CARS Project No. 320001381) using 2023 CARS Program funding in an amount not to exceed \$1,649,000.

DETAILS: The City of Mission's proposed CARS project for 2023 is the Foxridge Drive (51st Street to Lamar Avenue) Street Rehabilitation Project. The proposed improvements include a full depth pavement reconstruction, sidewalk and retaining walls, stormwater improvements, traffic signal buyout and replacement, streetlights, and a polymer overlay on the Lamar Ave. bridge. The stormwater improvements include replacing aging corrugated metal pipe (CMP) and addressing ongoing groundwater problems and the installation of sidewalks which will improve pedestrian safety. The stormwater and retaining wall improvements will require permanent easements and temporary construction easements will be necessary to complete the work in the right-of-way.

As part of the Nelson wastewater treatment facility improvements, Johnson County Wastewater (JCW) is planning to construct an additional force main within the Foxridge Dr. right-of-way. The City and JCW are currently coordinating the roadway and utility improvements so that the force main can be installed from December 2022 to April 2023 prior to the street improvements anticipated to begin in Spring 2023.

The Interlocal Agreement specifies the County's participation in the project for a total cost not to exceed \$1,649,000 and commits the City's funds to the project. Approval of the interlocal agreement is the final step with the County to accept CARS funds for this project. The total conceptual project costs submitted to CARS in 2022 totaled \$5,570,443 with estimated CARS funding of \$2,548,000. The County has reduced the eligible reimbursement costs to \$1,649,000 based on the CARS 80% rule which calculates a city's minimum 5-year funding apportionment based on city population and property valuation.

| | |
|---------------------------------|-------------------------------------------------------|
| Related Statute/City Ordinance: | N/A |
| Line Item Code/Description: | 25-90-805-60 CARS Projects - Capital Improvement Fund |
| Available Budget: | \$4,341,873 |

| | | |
|----------------------------|--------------|-------------------|
| City of Mission | Item Number: | 7d. |
| ACTION ITEM SUMMARY | Date: | November 16, 2022 |
| Public Works | From: | Celia Duran |

Action items require a vote to recommend the item to the full City Council for further action.

The plans are currently being finalized and will be bid in mid-January 2022 assuming easements can be acquired prior to this time, and contingent upon KDOT's review since a portion of this road is in their right-of-way. The current Engineer's Estimate (60% design) totals \$5,573,000 exclusive of easements and construction inspection.

The City anticipates issuing debt later this year to be used for this project.

CFAA CONSIDERATIONS/IMPACTS: This project supports a number of CFAA considerations, including sidewalk improvements, to promote walkability and provide pedestrian modes of transportation for all ages.

| | |
|---------------------------------|-------------------------------------------------------|
| Related Statute/City Ordinance: | N/A |
| Line Item Code/Description: | 25-90-805-60 CARS Projects - Capital Improvement Fund |
| Available Budget: | \$4,341,873 |

**Agreement between Johnson County, Kansas,
and the City of Mission, Kansas, for the Public Improvement of
Foxridge Drive from 51st Street to Lamar Avenue
(320001381)**

THIS AGREEMENT, made and entered into this _____ day of _____, 202_ by and between the Board of County Commissioners of Johnson County, Kansas ("Board") and the City of Mission, Kansas, ("City").

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in making certain public improvements to Foxridge Drive from 51st Street to Lamar Avenue (the "Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169, and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to execute any and all Agreements for County participation in any CARS Program project which has been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of the City did approve and authorize its Mayor to execute this Agreement by official vote on the _____ day of _____, 202_.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.

2. **Estimated Cost and Funding of Project**

a. The estimated cost of the Project (“Project Costs”), a portion of which is reimbursable under this Agreement, is Five Million Five Hundred Seventy Thousand Dollars (\$5,570,000).

b. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.

c. The Project Costs shall be allocated between the parties as follows:

i. The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed One Million Six Hundred Forty Nine Thousand Dollars (\$1,649,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the City may be reimbursed through any source other than the general residents or taxpayers of the City. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:

1. Land acquisition, right-of-way acquisition, or utility relocation;
2. Legal fees and expenses, design engineering services, Project administration, or financing costs;

3. Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;
4. Project overruns;
5. Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and;
6. Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Public Works Director"). Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- ii. The City shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. **Financing**

- a. The Board shall provide financial assistance, as provided in Paragraph 2.c. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs and expenses of the Project through the issuance of bonds or any other legally authorized method.
- b. The City shall pay its portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing body of the City.

4. **Administration of Project.** The Project shall be administered by the City, acting by and through its designated representative who shall be the City public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:

- a. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the Project Costs.
- b. Submit a copy of the plans and specifications for the Project to the Johnson County Public Works Director for review, prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Public Works Director or his designee shall review the copy of the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- c. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City. In the solicitation of bids, the appropriate combination of best bids shall be determined by the City.
- d. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- e. Submit to the Public Works Director a statement of actual costs and expenses in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the

month in which costs and expenses have been paid. The Public Works Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and, upon concurrence with the Finance Director of Johnson County, Kansas, (“Finance Director”) cause payment to be made to the City of the Board's portion of the Project Costs within thirty (30) days after receipt of such payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board make payment prior to construction or at times other than set forth in this subsection, the Public Works Director and the Finance Director may authorize such payment.

- f. Except when doing so would violate a state or federal rule or regulation, cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Public Works Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all Project Costs incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.c. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City that to the extent permitted by law and subject to the provisions of the Kansas Tort Claims Act including but not limited to maximum liability and immunity provisions, the City agrees to indemnify and hold the County, its officials, and agents harmless from any cost, expense, or liability not expressly agreed to by the County which result from the negligent acts or omissions of the City or its employees or which result from the City's compliance with the Policy and Procedures.

This agreement to indemnify shall not run in favor of or benefit any liability insurer or third party.

In addition, the City of Mission shall, and hereby agree to, insert as a special provision of its contract with the general contractor ("Project Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Project Contractor shall defend, indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City of Mission harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the negligence or other actionable fault of the Project Contractor, his or her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Project Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- a. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- b. The City shall be responsible for the acquisition of any real property, together with improvements thereon, located within the City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. **Duration and Termination of Agreement**

- a. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.b. herein below. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The City shall provide a copy of the Project Administrator's certification to both the Public Works Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- b. It is understood and agreed that the Public Works Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project by the City. In the event that the Public Works Director determines that satisfactory progress is not being made on the Project due to the City's breach of this Agreement by not meeting the agreed upon project deadlines or otherwise not complying with the terms of this Agreement, the Public Works Director is authorized to notify the City that it shall have thirty (30) days from receipt of such notification to take steps to cure the breach (the "Cure Period"). It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Public Works Director, that satisfactory progress is not being made on the Project and that the City has not taken sufficient steps to cure the breach during the Cure Period. Should the Board exercise its option as provided herein, it shall send written notice of the same to the City and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the City shall cause sufficient copies of this Agreement to be executed to provide each party with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

**Board of County Commissioners of
Johnson County, Kansas**

City of Mission, Kansas

Ed Eilert, Chairman

Solana Flora, Mayor

Attest:

Attest:

Lynda Sader
Deputy County Clerk

City Clerk

Approved as to form:

Approved as to form:

Robert A. Ford
Assistant County Counselor

City Attorney

| | | |
|---------------------------|--------------|-------------------|
| City of Mission | Item Number: | 13a. |
| INFORMATIONAL ITEM | Date: | November 16, 2022 |
| ADMINISTRATION | From: | Laura Smith |

Informational items are intended to provide updates on items where limited or no discussion is anticipated by the Committee.

RE: October 2022 Monthly Interim Financial Report

DETAILS: The monthly interim financial reports are provided as a part of the Council's legislative meeting packets and will be reviewed and considered under the City Administrator's Report section of the agenda.

If appropriate, high level information will be provided during the meeting, and Council will have the opportunity to ask any questions they might have at this time. Following the review at the Council meeting, the reports will be posted on the website.

The Summary Report is included in the packet with a link to the full October 2022 Interim Financial Report found [here](#).

CFAA CONSIDERATIONS/IMPACTS: NA

| | |
|---------------------------------|----|
| Related Statute/City Ordinance: | NA |
| Line Item Code/Description: | NA |
| Available Budget: | NA |



MONTHLY FINANCIAL REPORT

OCTOBER 2022

MISSION
Kansas



Mission, Kansas

Monthly Financial Report – Executive Summary

October 2022

General Fund Revenue Summary by Category as of 10/31/22

| | 2022 Adopted Budget | 2022 Est Budget | MTD Collections | YTD Collections | % of Est Budget Collected |
|------------------------------------------|------------------------|--------------------|--------------------|--------------------|------------------------------|
| Taxes | | | | | |
| Property Tax - General | 1,760,000 | 1,700,000 | 0 | 1,665,679 | 98% |
| Property Tax - Streets | 1,120,000 | 1,120,000 | 0 | 1,127,106 | 101% |
| Delinquent Property Tax | 20,300 | 30,000 | 5,730 | 22,068 | 74% |
| Motor Vehicle Tax | 262,800 | 251,950 | 24,547 | 231,002 | 92% |
| City Sales and Use Tax | 4,150,000 | 4,125,000 | 242,746 | 3,377,999 | 82% |
| County Sales and Use Tax | 893,200 | 945,000 | 64,232 | 890,952 | 94% |
| County Sales and Use Tax - Jail | 224,000 | 241,500 | 15,995 | 221,584 | 92% |
| County Sales and Use Tax - Public Safety | 224,000 | 241,500 | 15,995 | 221,584 | 92% |
| County Sales and Use Tax - Court | 224,000 | 241,500 | 15,995 | 221,583 | 92% |
| Franchise Tax | 1,022,000 | 1,098,500 | 88,553 | 955,702 | 87% |
| Alcohol Tax | 90,000 | 90,000 | 0 | 84,631 | 94% |
| Intergovernmental Revenue | 5,000 | 122,000 | 18,152 | 121,399 | |
| Mission Square Pilot | 47,250 | 47,250 | 0 | 24,106 | 51% |
| Licenses and Permits | 154,000 | 155,000 | 4,658 | 140,761 | 91% |
| Jo Co Plan Review/Inspection Fees | 200,000 | 630,000 | 12,453 | 282,183 | 45% |
| Police Fines | 743,500 | 623,450 | 42,454 | 347,465 | 56% |
| Charges for Services | 141,500 | 106,000 | 2,102 | 24,891 | 23% |
| Interest | 5,000 | 2,250 | 10,738 | 44,327 | 1970% |
| Miscellaneous and other | 89,360 | 320,000 | 961 | 27,594 | 9% |
| Pool Revenues | 132,000 | 159,500 | (1,176) | 154,002 | 97% |
| Parks Special Event Revenues | 215,000 | 170,000 | 0 | 164,952 | 97% |
| Community Center Revenues | 730,700 | 802,200 | 83,165 | 707,868 | 88% |
| Bond Proceeds | 0 | 0 | 0 | 0 | 0% |
| Transfers In (ARPA Funds) | 751,782 | 751,782 | 0 | 0 | 0% |
| Total Revenues | 13,205,392 | 13,974,382 | 647,301 | 11,059,438 | 79% |

General City Sales Tax :

Total Estimated Budget:
\$2,625,000

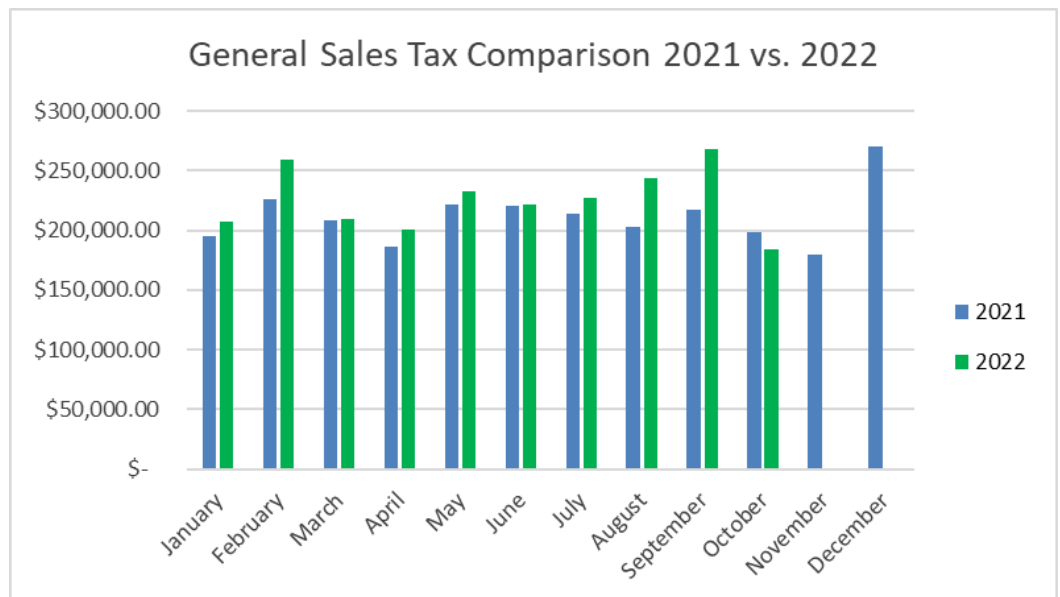
Total City Sales Tax collected YTD:
\$2,252,871

% of Estimated Budget collected:
86%

% of Year Expended:
83%

% change yr over yr = **-7.30%**

% change 5 yr avg = **-4.43%**

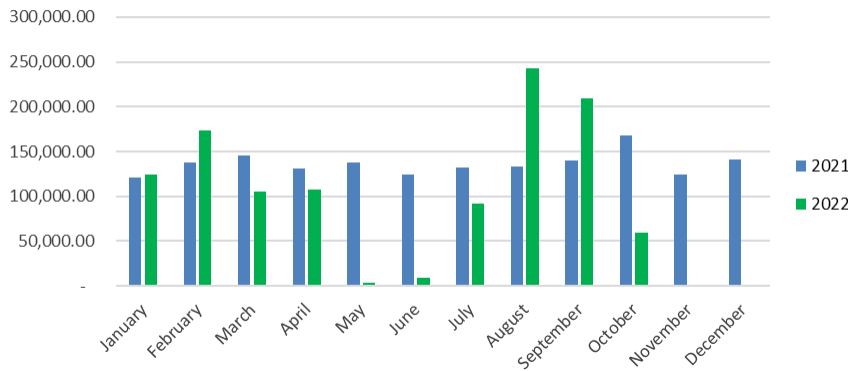


Mission, Kansas

Monthly Financial Report – Executive Summary

October 2022

General Use Tax Comparison 2021 vs. 2022



Comments/Highlights:

- City general sales tax revenues are performing in line with 2022 Revised Budget Estimates, despite \$311,000 in use tax refunds taken by the Kansas Department of Revenue earlier this year and fluctuations in distributions between Aug/Sept/Oct resulting from timing of submissions to the State.
- County sales tax and use tax revenues are trending in line with budget estimates. Total General County Sales and Use tax collected YTD totaled \$889,561 or 94% of the total Estimated Revenues for 2022.

Total Estimated Budget: \$1,500,000 Total City Use Tax collected YTD: \$1,125,327 % of Total Estimated Budget collected: 75%

% of Year Expended: 83%

% change yr over yr = **-64.82%**

% change 5 yr avg = **-48.09%**

| Fund | Revenue Budget | | | Expenditure Budget | | | Current Cash, MIP and Investments Balance |
|------------------------------------|-------------------------|-------------------------|------------------------|-------------------------|-------------------------|------------------------|-------------------------------------------|
| | Revenue Budget | Revenue YTD | Uncollected Revenue | Expenditure Budget | Expense YTD | Unencumb. Balance | |
| 01 General | \$ 13,974,382.00 | \$ 11,059,438.44 | \$ 2,914,943.56 | \$ 15,312,635.00 | \$ 13,303,465.93 | \$ 2,009,169.07 | \$ 4,285,169.60 |
| 02 IRS 125 Plan | \$ - | \$ 48,846.43 | \$ (48,846.43) | \$ - | \$ 47,706.43 | \$ (47,706.43) | \$ 42,985.64 |
| 03 Special Highway | \$ 275,100.00 | \$ 271,087.35 | \$ 4,012.65 | \$ 807,720.00 | \$ 700,541.75 | \$ 107,178.25 | \$ 151,776.87 |
| 08 Court - Bonds | \$ - | \$ 49,297.00 | \$ (49,297.00) | \$ - | \$ 66,632.00 | \$ (66,632.00) | \$ 37,827.00 |
| 09 Special Alcohol | \$ 110,000.00 | \$ 84,630.89 | \$ 25,369.11 | \$ 90,000.00 | \$ 55,949.78 | \$ 34,050.22 | \$ 165,147.51 |
| 10 Special Park & Recreation | \$ 110,050.00 | \$ 112,691.59 | \$ (2,641.59) | \$ 133,500.00 | \$ 56,617.36 | \$ 76,882.64 | \$ 193,772.27 |
| 14 Court - ADSAP | \$ - | \$ - | \$ - | \$ - | \$ 150.00 | \$ (150.00) | \$ 11,286.17 |
| 15 Court - Reinstatement | \$ - | \$ 16,459.00 | \$ (16,459.00) | \$ - | \$ 16,893.74 | \$ (16,893.74) | \$ 989.35 |
| 16 Special Law Enforcement | \$ - | \$ 6,350.00 | \$ (6,350.00) | \$ - | \$ - | \$ - | \$ 24,266.95 |
| 17 Restricted | \$ - | \$ 20,000.00 | \$ (20,000.00) | \$ - | \$ 64,295.60 | \$ (64,295.60) | \$ 62,295.68 |
| 18 Jo Co School District Sales Tax | \$ - | \$ 109.86 | \$ (109.86) | \$ - | \$ - | \$ - | \$ 18,272.83 |
| 19 MBDC | \$ 130,050.00 | \$ 69,604.17 | \$ 60,445.83 | \$ 103,000.00 | \$ 66,229.56 | \$ 36,770.44 | \$ 43,909.88 |
| 22 Storm Drain Utility | \$ 3,399,995.00 | \$ 3,199,423.90 | \$ 200,571.10 | \$ 3,491,193.00 | \$ 3,192,918.80 | \$ 298,274.20 | \$ 1,295,381.27 |
| 24 Equipment Reserve Fund | \$ 80,500.00 | \$ 23,833.47 | \$ 56,666.53 | \$ 335,142.00 | \$ 128,267.82 | \$ 206,874.18 | \$ 263,237.26 |
| 25 Capital Improvement Fund | \$ 2,414,953.00 | \$ 2,021,069.08 | \$ 393,883.92 | \$ 2,675,348.00 | \$ 1,985,918.88 | \$ 689,429.12 | \$ 307,054.31 |
| 26 Rock Creek Drainage Dist #1 | \$ 11,010.00 | \$ 22,173.39 | \$ (11,163.39) | \$ 11,000.00 | \$ - | \$ 11,000.00 | \$ 27,634.02 |
| 27 Rock Creek Drainage Dist #2 | \$ 66,100.00 | \$ 63,001.23 | \$ 3,098.77 | \$ 65,000.00 | \$ - | \$ 65,000.00 | \$ 84,725.05 |
| 30 Solid Waste Utility Fund | \$ 631,000.00 | \$ 656,929.12 | \$ (25,929.12) | \$ 599,540.00 | \$ 496,575.58 | \$ 102,964.42 | \$ 164,947.69 |
| 31 ARPA Fund | \$ 751,782.00 | \$ 756,254.66 | \$ (4,472.66) | \$ - | \$ - | \$ - | \$ 1,512,509.32 |
| 35 Transportation Fund | \$ - | \$ 97.27 | \$ (97.27) | \$ - | \$ - | \$ - | \$ 13,495.95 |
| 40 Street Sales Tax | \$ 957,005.00 | \$ 801,892.29 | \$ 155,112.71 | \$ 1,592,465.00 | \$ 1,410,451.35 | \$ 182,013.65 | \$ (27,691.83) |
| 45 Parks & Rec Sales Tax | \$ 1,395,050.00 | \$ 946,801.24 | \$ 448,248.76 | \$ 2,691,762.69 | \$ 1,249,012.27 | \$ 1,442,750.42 | \$ 1,022,128.02 |
| 50 Mission Trails TIF | \$ 350,285.00 | \$ 350,285.88 | \$ (0.88) | \$ 286,000.00 | \$ 350,285.88 | \$ (64,285.88) | \$ - |
| 55 Silvercrest at Broadmoor | \$ - | \$ 5,958.97 | \$ (5,958.97) | \$ - | \$ - | \$ - | \$ 12,561.35 |
| 60 Mission Crossing TIF Fund | \$ 421,500.00 | \$ 397,845.50 | \$ 23,654.50 | \$ 416,000.00 | \$ 433,411.97 | \$ (17,411.97) | \$ 975.97 |
| 64 Rock Creek TIF Dist #2 | \$ - | \$ 9,662.01 | \$ (9,662.01) | \$ - | \$ - | \$ - | \$ 9,662.01 |
| 65 Cornerstone Commons Fund | \$ 69,000.00 | \$ 55,791.69 | \$ 13,208.31 | \$ 67,500.00 | \$ 66,800.94 | \$ 699.06 | \$ 1,098.88 |
| 66 Capitol Federal TIF Fund | \$ 21,000.00 | \$ 20,028.00 | \$ 972.00 | \$ 18,000.00 | \$ - | \$ 18,000.00 | \$ 41,056.18 |
| 67 Mission Bowl TIF Fund | \$ - | \$ 32,881.61 | \$ (32,881.61) | \$ - | \$ - | \$ - | \$ 32,881.61 |
| 68 Rock Creek TIF Fund #3 | \$ - | \$ 50,756.34 | \$ (50,756.34) | \$ - | \$ - | \$ - | \$ 119,662.82 |
| 69 Rock Creek TIF Fund #4 | \$ - | \$ 42,426.85 | \$ (42,426.85) | \$ - | \$ - | \$ - | \$ 82,366.62 |
| 70 Mission Farm and Flower Market | \$ - | \$ 16,458.08 | \$ (16,458.08) | \$ - | \$ 15,423.94 | \$ (15,423.94) | \$ 17,201.14 |
| Total | \$ 25,168,762.00 | \$ 21,212,085.31 | \$ 3,956,676.69 | \$ 28,695,805.69 | \$ 23,707,549.58 | \$ 4,988,256.11 | \$ 10,018,587.39 |
| | | | | | | MIP Statement | 8,722,037.97 |
| | | | | | | Treasury Bills | - |
| | | | | | | Cash balances | 1,296,549.42 |
| | | | | | | Total | 10,018,587.39 |
| | | | | | | Difference | - |

Mission, Kansas

Monthly Financial Report – Executive Summary

October 2022

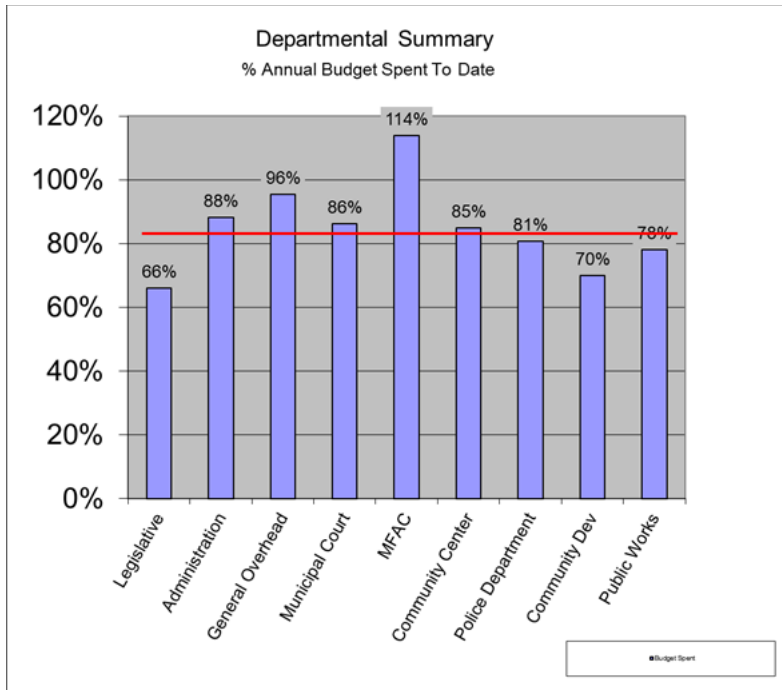
General Fund Expenditures by Department as of 10/31/22:

| DEPARTMENT | 2022 Budget | 2022 Estimated | Monthly Expenditure | YTD Expenditure | Amount Remaining | Expenditure Rate |
|---------------------------------------------|-------------------|-------------------|------------------------|--------------------|---------------------|---------------------|
| Legislative | | | | | | |
| Personnel Services | 57,010 | 57,010 | 4,376 | 44,048 | 12,962 | 77% |
| Contractual Services | 126,200 | 136,700 | (116) | 82,259 | 54,441 | 60% |
| Commodities | 1,200 | 1,200 | - | 2,282 | (1,082) | 190% |
| Capital Outlay | - | - | - | - | - | 0% |
| Total | 184,410 | 194,910 | 4,260 | 128,589 | 66,321 | 66% |
| Administration | | | | | | |
| Personnel Services | 885,000 | 904,800 | 72,255 | 793,019 | 111,781 | 88% |
| Contractual Services | 35,350 | 35,050 | 2,515 | 32,763 | 2,287 | 93% |
| Commodities | 900 | 2,200 | 613 | 4,104 | (1,904) | 187% |
| Capital Outlay | - | 250 | - | 1,075 | (825) | 430% |
| Debt Service | - | - | - | - | - | 0% |
| Total | 921,250 | 942,300 | 75,384 | 830,961 | 111,339 | 88% |
| General Overhead | | | | | | |
| Personnel Services | - | 75,000 | - | - | - | 0% |
| Contractual Services | 372,000 | 294,420 | 14,019 | 236,577 | 57,842.67 | 80% |
| Commodities | 51,500 | 53,000 | 353 | 25,418 | 27,581.74 | 48% |
| Capital Outlay | 1,958,840 | 1,920,500 | 33,580 | 2,040,794 | (120,293.70) | 106% |
| Debt Service | 326,538 | 329,538 | 249,574 | 249,574 | 79,963.83 | 76% |
| Total | 2,708,878 | 2,672,458 | 297,527 | 2,552,363 | 45,095 | 96% |
| Municipal Court | | | | | | |
| Personnel Services | 280,450 | 292,800 | 24,055 | 241,782 | 51,018 | 83% |
| Contractual Services | 22,000 | 22,000 | 252 | 7,500 | 14,500 | 34% |
| Commodities | 6,750 | 6,750 | 102 | 4,638 | 2,112 | 69% |
| Capital Outlay | 2,000 | 2,000 | 250 | 24,708 | (22,708) | 1235% |
| Total | 311,200 | 323,550 | 24,659 | 278,628 | 44,922 | 86% |
| Parks and Recreation | | | | | | |
| Mission Family Aquatic Center (MFAC) | | | | | | |
| Personnel Services | 166,900 | 159,100 | 2,517 | 157,578 | 1,522 | 99% |
| Contractual Services | 77,000 | 76,000 | 9,278 | 93,652 | (17,652) | 123% |
| Commodities | 48,450 | 44,000 | 497 | 65,867 | (21,867) | 150% |
| Capital Outlay | - | - | 822 | 822 | (822) | 0% |
| Total | 292,350 | 279,100 | 13,114 | 317,919 | (38,819) | 114% |
| Community Center | | | | | | |
| Personnel Services | 1,643,000 | 1,550,750 | 104,529 | 1,269,440 | 281,310 | 82% |
| Contractual Services | 762,250 | 739,650 | 63,875 | 667,135 | 72,515 | 90% |
| Commodities | 107,400 | 101,900 | 7,511 | 93,388 | 8,512 | 92% |
| Capital Outlay | - | - | - | - | - | 0% |
| Total | 2,512,650 | 2,392,300 | 175,915 | 2,029,962 | 362,338 | 85% |
| Police Department | | | | | | |
| Personnel Services | 3,507,100 | 3,434,750 | 267,751 | 2,913,306 | 521,444 | 85% |
| Contractual Services | 378,500 | 378,500 | 38,450 | 266,057 | 112,443 | 70% |
| Commodities | 144,250 | 144,250 | 7,497 | 113,644 | 30,606 | 79% |
| Capital Outlay | 11,700 | 11,700 | - | - | 11,700 | 0% |
| Debt Service/Lease | 106,000 | 110,000 | - | - | 110,000 | 0% |
| Total | 4,147,550 | 4,079,200 | 313,698 | 3,293,007 | 786,193 | 81% |
| Community Development | | | | | | |
| Personnel Services | 457,000 | 399,800 | 31,375 | 337,665 | 62,135 | 84% |
| Contractual Services | 222,887 | 295,885 | 16,889 | 149,782 | 146,103 | 51% |
| Commodities | 4,000 | 5,000 | 577 | 2,764 | 2,236 | 55% |
| Capital Outlay | - | 300 | - | 246 | 54 | 82% |
| Total | 683,887 | 700,985 | 48,841 | 490,457 | 210,528 | 70% |
| Public Works | | | | | | |
| Personnel Services | 1,119,800 | 1,146,500 | 75,235 | 938,661 | 207,839 | 82% |
| Contractual Services | 1,139,500 | 1,116,500 | 99,065 | 805,605 | 310,895 | 72% |
| Commodities | 253,832 | 232,700 | 19,857 | 235,794 | (3,094) | 101% |
| Capital Outlay | 16,000 | 37,132 | - | - | 37,132 | 0% |
| Total | 2,529,132 | 2,532,832 | 194,157 | 1,980,061 | 552,771 | 78% |
| Other General Fund | | | | | | |
| | 1,220,575 | 1,195,000 | (249,574) | 1,401,519 | (206,519) | 117% |
| General Fund Total | 15,511,882 | 15,312,635 | 897,981 | 13,303,466 | 1,934,169 | 87% |

Mission, Kansas

Monthly Financial Report – Executive Summary

October 2022



Additional highlights/comments:

- The City's cash balance position is strong with an ending cash balance across all funds of \$10.02 million at October 31, 2022. Major expenditures in October included 2023 Street Preservation Program and Foxridge Phase II design work, CID reimbursements, purchase of the sidewalk snow plow and pavement markings.
- Street Sales Tax collections YTD in 2022 total \$798,474 and Parks + Recreation Sales Tax collections are \$941,933 which represents a combined increase of **28%** YTD over 2021 collections.

In an effort to address questions surrounding revenues and expenses for the Powell Community Center (PCC), including cost recovery rates, historical and YTD revenue and expense information is included in the monthly interim financial report. The table below illustrates actual revenues and expenses from 2015 through 2021 showing the difference in total dollars (subsidy for operations). YTD information for 2022 is also included. The cost recovery or self-sufficiency rate for each year is also shown in the table. A feasibility study for the PCC is currently underway to aid in assessing the center's long-term feasibility and highest and best use.

| | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 YTD |
|-----------------|--------------|--------------|--------------|--------------|--------------|----------------|----------------|----------------|
| Revenues | \$ 1,780,144 | \$ 1,817,753 | \$ 1,758,157 | \$ 1,675,697 | \$ 1,698,878 | \$ 710,775 | \$ 706,254 | \$ 1,004,927 |
| Expenses | \$ 2,089,988 | \$ 2,225,928 | \$ 2,284,283 | \$ 2,342,798 | \$ 2,425,932 | \$ 2,062,448 | \$ 2,267,738 | \$ 2,029,963 |
| Difference (\$) | \$ (309,845) | \$ (408,175) | \$ (526,127) | \$ (667,101) | \$ (727,054) | \$ (1,351,673) | \$ (1,561,484) | \$ (1,025,036) |
| Cost Recovery % | 85% | 82% | 77% | 72% | 70% | 34% | 31% | 50% |

Following passage of the American Rescue Plan Act (ARPA), the City is slated to receive a direct disbursement of funds (\$1,503,565) to address COVID-19 impacts. The first half payment was received in July 2021 and the balance was distributed in June 2022. ARPA funds are currently shown as a transfer into the General Fund to address COVID-19 related revenue shortages. During the recent budget process, it was recommended to take the standard \$10 million revenue loss deduction. This allowed the Council to consider and approve a number of other high priority projects which had been deferred because of pandemic-related revenue losses.

The reports that follow provide line item detail level summaries of revenues and expenditures for all funds, and are generated through the City's financial management software, Governmentor. In addition to information on the current budget/fiscal year, the reports will contain information on the prior year actuals.

In addition to these summary reports, a summary claims report detailing expenditures for the month by fund is provided along with a report that details all payments made in the current month by vendor (listed alphabetically).